

ORIGINAL

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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In re Amendment of Section 73.202(b))	MM Docket No. 04-428
of the Commission's Rules, Table of Allotments,)	RM-11124
FM Broadcast Stations)	
)	
(CLATSKANIE, OREGON ET AL.))	

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To: The Office of the Secretary, for the attention of the Assistant Chief,
Audio Division, Office of Broadcast License Policy, Media Bureau

COMMENTS

Portmeirion Partners (*Portmeirion*), the Petitioner in this proceeding, hereby files its comments in this proceeding.

1. Portmeirion filed a Petition for Rule Making asking the FCC to allot Channel 225C3 to Clatskanie, Oregon as a first local service. In response, the staff issued the Notice of Proposed Rule Making (the *NPRM*), DA 04-3813 (rel. December 3, 2004). The requested allotment requires a site restriction¹ to avoid short spacings to third-adjacent-channel station KGON(FM), Channel 222C, Portland, Oregon and to first-adjacent-channel station KAST(FM), Channel 226C3, Gladstone, Oregon. The allotment of Channel 225C3 to Clatskanie requires substitution of an equivalent channel for Channel 224A at Long Beach, Washington. Station KAQX(AM), FCC Facility ID No. 38910, occupies the Long Beach allotment. Portmeirion proposes the substitution of Channel 259A at Long Beach and the concomitant modification of

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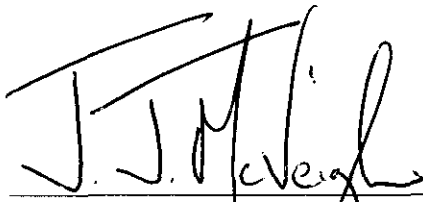
¹ Reference point: North Latitude 46° 17' 44"; West Longitude 123° 14' 13".

station KAQX's outstanding license.² The NPRM includes an Order to Show Cause directed to the affected licensee.

2. Portmeirion restates its intent to apply for a construction permit for Channel 225C3 at Clatskanie, if allotted. Portmeirion further restates its intent, should Portmeirion be awarded the construction permit, to build the authorized facilities, to place the constructed facilities into broadcast service, and to seek a license to cover those facilities. Portmeirion further pledges, if it is awarded the Clatskanie construction permit, to reimburse the licensee of station KAQX pursuant to the Commission's Circleville, Ohio guidelines.

CONCLUSION

3. For all of the above reasons, the staff should promptly issue a Report and Order adopting Portmeirion Partners' request, allotting Channel 229A to the community of Clatskanie, Oregon, and suitably modifying station KAQX's license to accommodate the new allotment.

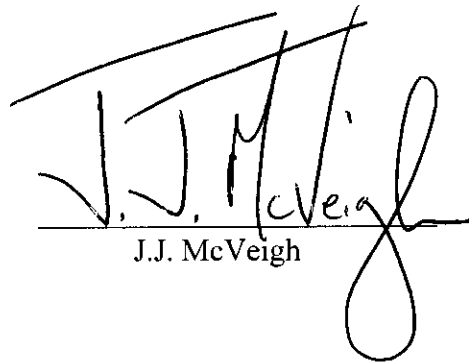
<p>JOHN J. McVEIGH, ATTORNEY AT LAW 12101 BLUE PAPER TRAIL COLUMBIA, MARYLAND 21044-2787</p> <p>TELEPHONE: 301.596.1655 TELECOPIER: 301.596.1656</p> <p>DATE: DECEMBER 4, 2004</p>	<p>Respectfully submitted,</p> <p>PORTMEIRION PARTNERS</p> <p>BY  JOHN J. McVEIGH ITS COMMUNICATIONS COUNSEL</p>
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²Portmeirion has proposed the use of the coordinates of station KAQX's licensed main transmitter site as the reference point for Channel 259A at Long Beach. Those licensed coordinates are North Latitude 46° 18' 51", West Longitude 124° 03' 07".

CERTIFICATE OF SERVICE

I hereby certify that I have this Fourth day of December, 2004, sent a copy of the foregoing "COMMENTS" by first class United States mail, postage prepaid, to:

M. Anne Swanson, Esq.
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License, Station KAQX(FM)



J.J. McVeigh